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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRANGIE ESPINAL, on behalf of himself and all :  
others similarly situated, :

Plaintiff, :

- against - :

PICKLEBALL BELLA, INC., :

Defendant. :

X

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X

24-CV-8081 (JMF) (HJR)

**ORDER**

**HENRY J. RICARDO, United States Magistrate Judge:**

Plaintiff Frangie Espinal filed the Complaint on October 24, 2024 (Dkt. No. 1), and a summons was issued on October 28, 2024 (Dkt. No. 5). Plaintiff then served the summons and Complaint on December 23, 2024. (Dkt. No. 8). Defendant's Answer was due by January 13, 2025.

To date, the docket reflects that Defendant has not appeared in this action or responded to the Complaint. Given Defendant's non-appearance since the affidavit of service was filed, by **February 28, 2025**, Plaintiff should either (1) initiate default judgment proceedings in accordance with Judge Furman's Individual Rule 4.J, assuming Plaintiff believes that she has effectuated service, or (2) file a status letter on the docket informing the Court as to Plaintiff's litigation plan and whether she is still actively attempting to serve Defendant.

Failure to comply with this Order could result in a recommendation to Judge Furman that this action be dismissed without prejudice for failure to prosecute pursuant to Fed. R. Civ. P. 41.

**SO ORDERED.**

DATED: New York, New York  
February 14, 2025

  
Henry J. Ricardo  
United States Magistrate Judge